

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RAFIYQ DAVIS,

Petitioner,

v.

PENNSYLVANIA DEPARTMENT OF
CORRECTIONS, et al.,

Respondents.

CIVIL ACTION

NO. 17-0846

FILED

JAN - 9 2018

KATE BARKMAN, Clerk
By _____ Dep. Clerk

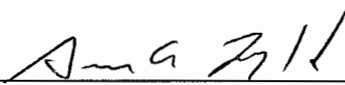
ORDER

AND NOW, this 9th day of JANUARY, 2018, upon consideration of the Petition for Writ of Habeas Corpus (Dkt. Nos. 4, 6), the Answer to the Petition (Dkt. No. 10), and after review of the Report and Recommendation of United States Magistrate Judge Henry S. Perkin dated December 13, 2017,

IT IS HEREBY ORDERED that:

1. the Report and Recommendation is **APPROVED** and **ADOPTED**;
2. the Petition for Writ of Habeas Corpus (Docket No. 3) is **DENIED** without prejudice and **DISMISSED** without an evidentiary hearing; and
3. there is no probable cause to issue a certificate of appealability.

BY THE COURT:


GERALD A. McHUGH, J.